



DAN MORALES
ATTORNEY GENERAL

Office of the Attorney General
State of Texas

February 1, 1991

Mr. Ray R. Ortiz
Assistant City Attorney
City of Victoria
City Hall
Main and Juan Linn
P. O. Box 1758
Victoria, Texas 77902-1758

OR91-069

Dear Mr. Ortiz:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 11,401.

We have considered the exception you claimed, specifically, section 3(a)(3), and have reviewed the requested documents. Other documents submitted, specifically a copy of a claim form for payment of damages and copies of letters from the claimant's attorney indicate that litigation seeking damages is reasonably anticipated if not pending. The requested documents relate to that litigation. A previous determination of this office, Open Records Decision No. 551 (1990), a copy of which is enclosed, resolves your request. See also Heard v. Houston Post Co., 684 S.W.2d 210 (Tex. App. - Houston [1st Dist.] 1984, writ ref'd n.r.e.). For this reason, you may withhold the requested information.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR91-069.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Celeste A. Baker".

Celeste A. Baker
Assistant Attorney General
Opinion Committee

CAB/le

Mr. Ray R. Ortiz - Page 2 (OR91-069)

Ref.: ID# 11401

Enclosure: Open Records Decision No. 551

cc: Mr. O.F. Jones, III
Attorney at Law
109 W. Santa Rosa
P. O. Drawer E
Victoria, Texas 77902